IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 2691 of 2005

Between:

M. Shajahan Basha, S/o Late M. Akbar Saheb,
R/o 16/243, S.C. Bose Road, Madanapalli, Chittoor District.

..... PETITIONER

AND

State Transport Authority, rep. by its Secretary, Andhra Pradesh,
BRKR Buildings, Tank Bund, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus, directing the respondent herein to permit the petitioner to produce the records of vehicle within 2 months and issue the contract carriage permit in favour of the petitioner pursuant to the orders of the State Transport Appellate Tribunal, A.P.Hyderabad in A.P.No. 40/2000 dt,. 8-3-2002.

Counsel for the Petitioner:MR.NOUSHAD ALI

Counsel for the Respondent: GP FOR TRANSPORT

The Court at the admission stage made the following O R D E R:

The State Transport Appellate Tribunal, Hyderabd, through order dated 08.03.2002 in A.P.No.40 of 2000 directed to issue permit to the appellant on production of valid records within four months from that date.

As the petitioner failed to produce the records within the time stipulated due to financial and domestic problems, he filed the present writ petition seeking a direction to the respondent to permit the petitioner to produce the records of vehicle within two months and for issuance of contract carriage permit in his favour.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

Admittedly, the petitioner failed to produce the records within the time stipulated due to financial and domestic problems. It is only non-production of records, but not a deliberate attempt on the part of the petitioner.

Hence, the writ petition is allowed directing the petitioner to produce the records within two months from today, failing which, the petitioner is not entitled for any permit. No costs.

16.02.2004

Note:CC in three days

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1. The Secretary, State Transport Authority, Andhra Pradesh, BRKR Buildings, Tank Bund, Hyderabad.

2. Two CCs to G.P. for Transport, High Court of A.P., Hyderabad (OUT)

3. Two CD copies.